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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

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In re:	X .	
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METROPOLITAN 885 THIRD AVENUE LEASEHOLD, LLC,	:	Case No. 10-16103 (SCC)
	:	Chapter 11 Case
Debtor.	:	•
	X	

# NOTICE OF PROPOSED AGENDA FOR FIRST DAY HEARING ON NOVEMBER 16, 2010 at 4:30 p.m.

Time and Date of Hearing:

November 16, 2010 at 4:30 p.m. (EST)

The Honorable Judge Shelly C. Chapman United States Bankruptcy Court One Bowling Green, Room 610 New York, New York 10004

A copy of each pleading can be viewed and/or obtained by (i) accessing the Court's website at <a href="https://www.nysb.uscourts.gov">www.nysb.uscourts.gov</a>, or (ii) contacting the Office of the Clerk of the Court at One Bowling Green, New York, New York 10004,

212-668-2870

**Copies of Pleadings:** 

## I. INTRODUCTION – DECLARATION IN SUPPORT

A. Declaration of Jacob Abikzer Pursuant to Local Bankruptcy Rule 1007-2 [Docket No. 2]

## II. MOTIONS TO BE HEARD AT THE FIRST DAY HEARING

- A. Scheduling Motion for Prepackaged Chapter 11 Case and Motion for an Order (I) Scheduling a Combined Hearing Under 11 U.S.C. § 105(d)(2)(b)(vi) to Approve the Adequacy of the Solicitation and Disclosure Statement and the Prepetition Solicitation Procedures and to Confirm the Prepackaged Chapter 11 Plan of Reorganization, (II) Establishing Deadlines and Procedures for Filing Objections to the Approval of the Solicitation and Disclosure Statement or the Prepetition Solicitation Procedures or Confirmation of Plan, and (III) Approving the Form and Manner of Notice of the Confirmation Hearing [Docket No. 5]
- B. Motion of Debtor Pursuant to Bankruptcy Rule 3003(c)(3) and Section 502(b)(9) of the Bankruptcy Code for an Order Establishing the Deadline for Filing Proofs of Claim (Including Any Claims Under Section 503(b)(9) of the Bankruptcy Code) and Approving the Form and Manner of Notice Thereof [Docket No. 8]
- C. Application to Employ Garden City Group, Inc. as Claims and Noticing Agent for the Debtor [Docket No. 14]

### III. REQUEST TO SCHEDULE FUTURE HEARINGS

- A. Motion of Metropolitan 885 Third Avenue Leasehold, LLC Pursuant to Sections 361, 362, 363 and 507 of the Bankruptcy Code and Fed. R. Bankr. P. 2002, 4001 and 9014, for Entry of Interim Order: (I) Authorizing the Debtor to Use Cash Collateral; (II) Authorizing Debtor to Provide Adequate Protection Pending Final Hearing; and (III) Scheduling Final Hearing [Docket No. 9]
- B. Debtor's Motion Pursuant to Sections 105(a), 363(c) and 364(a) of the Bankruptcy Code for Authorization to (I) Continue Using Existing Cash Management System, (II) Maintain Existing Bank Accounts and Business Forms, and (III) Waive Requirements of Section 345(b) of the Bankruptcy Code [Docket No. 10]
- C. Motion of the Debtor for an Order Authorizing, but Not Directing, the Debtor to Pay Prepetition Claims as They Become Due [Docket No. 11]
- D. Debtor's Motion Pursuant to Sections 105(a) and 366 of the Bankruptcy Code for an Order (I) Prohibiting Utilities From Altering, Refusing, or Discontinuing Service; (II) Deeming Utilities Adequately Assured of Future Payment; and (III) Establishing Procedures for Determining Adequate Assurance of Payment [Docket No. 12]
- E. Debtor's Application for Authority to Retain and Employ Blank Rome LLP as Bankruptcy Counsel [Docket No. 13]

Dated: New York, NY November 16, 2010 Respectfully submitted,

### **BLANK ROME LLP**

By: /s/ Marc E. Richards

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-and-

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